# UNITED STATES PATENT AND TRADEMARK OFFICE

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| 09/759,486 | 01/12/2001 | Daniel Pelletier | US 010002 | 1745 |

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| EXAMINER |
|---|
| LONG, HEATHER R |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2615 | |

DATE MAILED: 06/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on <u>07 March 2005</u>.

2a)☒ This action is **FINAL**.          2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) <u>1,3-7 and 9-19</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1,3-7 and 9-19</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>12 January 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All  b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)          4)☐ Interview Summary (PTO-413)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)             Paper No(s)/Mail Date. _____.
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)   5)☐ Notice of Informal Patent Application (PTO-152)
   Paper No(s)/Mail Date _____.          6)☐ Other: _____.

## DETAILED ACTION

### *Response to Arguments*

1.      Applicant's arguments filed 3/7/2005 have been fully considered but they are not

persuasive.

The Applicant argues on Page 7, lines 6-8 that since Chim does not

disclose any camera parametrics other than pan and zoom, Chim fails to

anticipate the rejected claims, and it is urged that the rejection be withdrawn.

The Examiner respectfully disagrees.  Claims 1 and 7 only require the apparatus

to contain **at least one sequence of** camera parametrics selected from the

group of movements including scanning, zooming, tilting, orientating, panning,

fading, zoom-and-pull-back, fade-in, and fade-out.  Chim discloses at least two of

these therefore meeting the claimed limitations.

The Applicant argues on Page 7, lines 9-12 that Chim is not able to

determine the number of objects in a scene and that Chim only provides for

determining the location of an object based on sounds detected from that object.

The Examiner respectfully disagrees.  Chim discloses the system can determine

the current speaker from several different speakers (col. 4, lines 63-67) from the

different signal levels transmitted by the microphones.  Therefore, this inherently

includes the number of objects since there is more than one speaker.  For

example, if two different sounds were coming from two different places in the

room the apparatus would be able to determine that there are two objects in the

room. Determining the positions for objects in a room go hand-in-hand with determining how many objects is in the room.

The Applicant argues on Page 7, lines 19-22 that Chim does not disclose speech recognition, but only audio detection via one or more microphones. The Examiner respectfully disagrees. Chim is able to detect audio by using microphones with would include recognizing speech since speech is an audio signal.

The Applicant argues on Page 7, lines 23-25 that Chim does not disclose, literally or inherently, determining the object closest to a predetermined location in the image. Furthermore, the Applicant argues on Page 7, line 32 – Page 8, line 2 that Chim does not disclose, literally or inherently, determining the object closest to the center of the image. The Examiner respectfully disagrees. In order for the apparatus to be readjusted accordingly to have the speakers in the captured image in the Chim reference the apparatus would have to determine the object closest to a predetermined location in the image or the object closest to the center of the image depending on the process the camera is going to perform. Therefore, Chim inherently teaches this feature.

The Applicant argues on page 8, lines 28-33 that the Examiner's contention that outputting the criteria for camera movement over a serial connection, or a parallel connection, or a network, would be well-known is not capable of instant and unquestionable demonstration as to defy dispute, and thus cannot be supported by taking Official Notice, but only by citing a written

reference in support thereof.  The Examiner has found a reference and has

applied the reference to the rejection of claims 13, 14, and 15 below.


## *Claim Rejections - 35 USC § 102*

2.      The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

3.      Claims 1, 3-7, 9-12 and 16-19 are rejected under 35 U.S.C. 102(e) as being

anticipated by Chim (U.S. Patent 6,275,258).

Regarding claim 1, Chim discloses a method for automatically controlling

the movements of at least one camera or camera lens to change the prospective

of a scene viewed by the camera at least one camera or camera lens, the

method comprising the steps of: selecting at least one sequence of camera

parametrics from a plurality of sequences of camera parametrics, wherein the at

least one sequence of camera parametrics is selected from the group of camera

movements including scanning, zooming, tilting, orientating, panning, fading,

zoom-and-pull-back, fade-in, fade-out, (col. 4, lines 51-54; col. 8, lines 41-44)

and wherein the parametrics provide instruction to control movement of the at

least one camera or camera lens (it is inherent that the selected parameters are

already installed and selected on the camera in order for the camera to be able

to perform the sequences); determining criteria for executing the selected

sequence of camera parametrics, wherein the criteria are responsive to at least

one high level parameter of at least one object contained in the scene (col. 4,

lines 34-42); and adjusting movement of the at least one camera or camera lens

in response to the determined criteria (col. 8, lines 26-44).

Regarding claim **3**, Chim discloses a method as described in claim 1,

wherein the at least one high level parameter includes the number of objects

within the scene (the system can determine the current speaker from several

different speakers (col. 4, lines 63-67) from the different signal levels transmitted

by the microphones). Therefore, the one high level parameter inherently

includes the number of objects since there is more than one speaker.

Regarding claim **4**, Chim discloses a method as described in claim 1,

wherein the at least one high level parameter includes the position of at least one

object within the scene (col. 4, lines 64-67).

Regarding claim **5**, Chim discloses a method as described in claim 1,

wherein the at least one high level parameter includes speech recognition of at

least one object within the scene (col. 4, lines 34-42).

Regarding claim **6**, Chim discloses a method as described in claim 1,

wherein the at least one high level parameter includes an audio input of at least

one object within the scene (col. 4, lines 34-42).

Regarding claim **7**, Chim discloses an apparatus for automatically

controlling the movements of at least one camera or camera lens to change the

prospective of a scene viewed by the at least one camera or camera lens, the

apparatus comprising: a processor operative to: receive a first input for selecting

at least one sequence of camera parametrics from a plurality of sequences of

camera parametrics, wherein the at least one sequence of camera parametrics is

selected from the group of camera movements including scanning, zooming,

tilting, orientating, panning, fading, zoom-and-pull-back, fade-in, fade-out, (col. 4,

lines 51-54; col. 8, lines 41-44) and wherein the parametrics provide instruction

to control movement of the ate least one camera or camera lens (it is inherent

that the selected parameters are already installed and selected on the camera in

order for the camera to be able to perform the sequences); receive a second

input comprising at least one high level parameter of at least one object

contained in the scene; determine criteria for executing the selected sequence of

camera parametrics, wherein the criteria are responsive to the at least one high

level parameter (col. 4, lines 34-42); and means for adjusting movement of the at

least one camera or camera lens in response to the determined criteria (col. 8,

lines 26-44).

Regarding claim **9**, Chim discloses an apparatus as described by claim 7,

wherein the at least one high level parameter includes the number of objects

within the scene (the system can determine the current speaker from several

different speakers (col. 4, lines 63-67) from the different signal levels transmitted

by the microphones). Therefore, the one high level parameter inherently

includes the number of objects since there is more than one speaker.

Regarding claim **10**, Chim discloses an apparatus as described by claim

7, wherein the at least one high level parameter includes the position of at least

one object within the scene (col. 4, lines 64-67).

Regarding claim **11**, Chim discloses an apparatus as described by claim

7, wherein the at least one high level parameter includes speech recognition of at

least one object within the scene (col. 4, lines 34-42).

Regarding claim **12**, Chim discloses an apparatus as described by claim

7, wherein the at least one high level parameter includes an audio input of at

least one object within the scene (col. 4, lines 34-42).

Regarding claim **16**, Chim discloses an apparatus as described by claim

7, wherein the camera movement is accomplished electronically (col. 4, lines 16-

21).

Regarding claim **17**, Chim discloses an apparatus as described by claim

7, wherein the camera movement is accomplished mechanically (col. 4, lines 40-

42).

Regarding claim **18**, Chim discloses a method as described by claim 1,

including: locating the at least one object in an image of the scene (col. 4, lines

63-67); determining the object closest to a predetermined location in the image (it

is inherent that the system determines how far away the current speaker is from

the last speaker in order to readjust the camera accordingly); adjusting the

movement of the at least one camera or camera lens in response to the

determination (col. 8, lines 41-44).

Regarding claim **19**, Chim discloses a method as described by claim 1,

including: locating the at least one object in an image of the scene (col. 4, lines

63-67); determining the object closest to center of the image (it is inherent that

the system determines how far away the current speaker is from the last

speaker, which would be in the center of the scene, in order to readjust the

camera accordingly); determining the percentage of the scene around the closest

object (it is inherent that the percentage of the scene is determined in order to

figure out how far the camera needs to be zoomed in or out); adjusting the zoom

level of the at least one camera or camera lens to the percentage determination

(it is inherent that once the percentage has been determined it will be used to

adjust the zoom accordingly).


### Claim Rejections - 35 USC § 103

4.      The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

5.      Claims 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Chim as applied to claim 7 above, and further in view of Steinberg et al. (U.S. Patent

6,750,902)

Regarding claims **13-15**, Chim discloses all subject matter as discussed

with claim 7, except that the means for adjusting the camera movement effects

outputting of the criteria over a serial connection, parallel connection, or a

network.  Official Notice is taken that outputting of the criteria over be output over

a serial connection, parallel connection, or a network.

Referring to the Steinberg et al. reference, Steinberg et al. discloses an

apparatus wherein the means for adjusting the camera movement effects

outputting of the criteria over a serial connection, parallel connection, or a

network (abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at

the time the invention was made to have a serial connection, parallel connection,

or a network to output criteria for adjusting the camera movements as taught by

Steinberg et al. with the apparatus disclosed by Chim because it is well known in

the art to use any of these connections to transmit data from one device to

another.

## *Conclusion*

6.      **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.  In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Heather R. Long whose telephone number is 571-272-7368. The examiner can normally be reached on Mon. - Thurs.: 7:00 am - 4:30 pm, and every other Fri.: 7:00 am - 3:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Ometz can be reached on 571-272-7593. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Heather R Long
Examiner
Art Unit 2615

HRL
June 21, 2005

DAVID L. OMETZ
PRIMARY EXAMINER